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REMARKS:

Claims 1-16, 19-27, 29-31, 33, 35 and 43-53 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Sukaki (United States Patent 6,723,776) in view of the admitted prior art. However, to further distinguish the subject invention from the teachings of the prior art, the independent claims of the subject patent application (claims 1 and 47) have been amended so as to specify that the oil is present at a level which is within the range of 20 parts by weight to 70 parts by weight. This level of oil is well below the minimum quantity of oil that Sukaki calls for in the teachings of his patent. In light of the amendments made the claims now pending in the subject patent application are not rendered obvious by the teachings of Sukaki.

In the Office Action of October 6, 2006, the Examiner indicated that the Applicant's arguments made with the amendment filed on August 14, 2006 were not persuasive. The Examiner explained that this was because the Applicant's claims specified the level of oil based upon the "total weight of the blend composition including the oil" whereas Sukaki specified the level of oil on the basis of parts per weight per 100 parts by weight of the polymeric components of the composition. The Examiner also correctly noted that the level of oil taught by Sukaki read upon the level of oil that was specified in the Applicant's claimed range of 15 to 150 parts by weight. However, this is no longer the case with respect to the new range called for in the amended claims now pending in the subject patent application.

Claims 1 and 47 have been amended to call for (a) 15 to 30 parts by weight of the thermoplastic resin (b) 20 to 40 parts by weight of the rubbery elastomer (solution polymer), (c) 25 to 60 parts by weight of the highly saturated elastomer, and (d) 20 to 70 parts by weight of the oil. This means that the maximum level of oil that can be in the claimed composition is 117 parts by weight per 100 parts by weight of polymeric components. This maximum level of oil that can be in the claimed composition was determined by assuming that the maximum amount of oil (70 parts by weight) is present in a composition that contains minimal amounts of polymeric components (15 parts by weight of the thermoplastic resin, 20 parts by weight of the rubbery polymer, and 25 parts by weight of the highly saturated polymer). In such a composition a minimum of 55 parts by weight of polymeric constituents must by present. Accordingly, if 70 parts by weight of oil are present in a composition that contains 15 parts by weight of the

thermoplastic resin, 20 parts by weight of the rubbery polymer, and 25 parts by weight of the highly saturated polymer then the composition contains 117 parts by weight of oil per 100 parts by weight of the polymeric constituents (70/60 = 117). The Affidavit of Dr. Frank J. Feher being submitted herewith also explains that the soft thermoplastic compositions called for in the claims now pending in the subject patent application contain a maximum oil level of 117 parts by weight per 100 parts by weight of polymeric constituents.

The maximum level of oil that can be in the soft thermoplastic elastomer composition called for in claim 26 of the subject patent application is only 82 weight percent, based upon the total weight of polymeric components in the composition. This again assumes that the soft thermoplastic elastomer composition contains the maximum permissible level of oil (70 parts by weight) and that the polymeric components are all present at the minimum permissible levels (15 parts by weight polyolefin resin, 45 parts by weight rubbery polymer, and 25 parts by weight highly saturated elastomer). The Rule 132 Affidavit of Dr. Feher being submitted herewith again affirms the point and concludes that the thermoplastic compositions called for in claim 26 contains a maximum oil level of 82 weight percent, based upon the total weight of polymeric components in the composition.

The soft thermoplastic elastomer compositions called for in the claims of the subject patent application which contain a maximum oil level of 117 weight percent, based upon the weight of polymeric constituents, can be contrasted to the teachings of Sukaki which call for the softener (oil) to be present at a level of at least 200 parts by weight or more. In fact, Sukaki indicates that it is preferred for the softener to be present at a level of 250 parts by weight or more with it being more preferred for the softener to be present at a level of 300 parts by weight or more (see Sukaki at column 6, lines 14-21).

The teachings of Sukaki do not suggest or imply that compositions containing less than 200 parts by weight of a softener, based upon the weight of polymeric constituents, would be useful for any purpose. Accordingly, the compositions called for in the claims of the subject patent application which contain a maximum of 117 parts by weight of an oil, based upon the weight of polymeric constituents, are not rendered obvious by the teachings of Sukaki.

The compositions described by Sukaki all include an ethylene-propylene-diene rubber (EPDM). This is in contrast to the compositions now being claimed wherein an EPDM is not required. In fact, claim 47 calls for the soft thermoplastic elastomer composition to "consist of" (a) the thermoplastic resin, (b) the rubbery elastomer, (c) the highly saturated elastomer, (d) the oil, (f) optionally, an ultraviolet light stabilizer, (g) optionally, at least one processing aid, and (h) optionally, a colorant. This closed ended transitional language in claim 47 precludes the presence of EPDM. Since the teaching of Sukaki do not discloses or suggest compositions that are free of EPDM claim 47 is certainly not rendered obvious.

All of the compositions now being claimed must include three separate and distinct polymeric constituents. More specifically, the compositions now being claimed include a soft thermoplastic composition, a rubbery elastomer, and a highly saturated elastomer. This is in contrast to the compositions described by Sukaki that only need to contain a thermoplastic elastomer, such as SEBS, and a rubbery component that contains the EPDM rubber. The teachings of Sukaki do not suggest or imply compositions that do not contain EPDM. However, by utilizing the three polymeric components called for in the claims of the subject patent application it is not necessary to include an EPDM. Such compositions are accordingly not rendered obvious by the teachings of Sukaki.

The Applicants do not profess to be the inventors of overmolded articles. However, the utilization of the composition called for in the claims of the subject patent application in overmolding procedures to make articles having an overmolded component is novel and unobvious in light of the teachings of the cited prior art. Nothing within the teachings of Sukaki indicates that the compositions disclosed therein would be useful in overmolding applications. Accordingly, the utilization of a different type of composition in making overmolded articles is not rendered obvious by the teachings of Sukaki. In other words, the teachings of Sukaki certainly don't render obvious the possibility of utilizing the specific composition called for in the claims of the subject patent application in making overmolded articles.

All of the claims now pending in the subject patent application are accordingly fully in compliance with the requirements of 35 U.S.C. 103(a) and the Examiner is respectfully requested to allow all pending claims.

Respectfully submitted,

Alvin T. Rockhill

Attorney for Applicant(s)

Alvin T Rockhill, Reg. No. 30,417
The Goodyear Tire & Rubber Company, D/823
1144 East Market Street
Akron, Ohio 44316-0001
Telephone: (330) 666-4659